

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|--------------------------------------|-------------------|------------------------------------|
| | | Chapter: 13 |
| In Re: Dawn E. Weimar | Debtor, | Bankruptcy No. 20-13637-MDC |
| Nationstar Mortgage LLC d/b/a | Movant | |
| Mr. Cooper | | |
| -v- | | |
| Dawn E. Weimar | Respondent | Answer to Motion for Relief |
| | | |

ANSWER TO MOTION FOR RELIEF of NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER, FILED BY DAWN E. WEIMAR, DEBTOR/RESPONDENT

And now comes Dawn E. Weimar, Debtor/Respondent, through her attorney Jeffrey A. Fournier, Esquire, files this response to the motion for relief, filed by Nationstar Mortgage LLC d/b/a Mr. Cooper, responds with the following answers to the averments:

- 1) Admitted.
- 2) Admitted.
- 3) Admitted.
- 4) Admitted.
- 5) Admitted.
- 6) Denied. Movants estimated payoff of \$93,280.15 is overstated for costs, fees, expense, escrow and failed to reflect payments made by Debtor and not accounted for by Movant.

- 7) Denied. Debtor made payments to and received by Movant. Debtor request a full accounting for payment received post petition. Debtor believes post petition payments made weren't processed by Movant.
- 8) Denied. Movant is not entitled to legal fees and costs and if entitled, must be reasonable, factoring reasonable amount of time incurred and complexity of the work performed.
- 9) Denied. The outstanding post petition balance due to Movant in the amount of \$3,179.85 is overstated. There is sufficient equity in the premises to adequately protect the Movant.
- 10) Denied. Movant is not entitled to relief for the automatic stay, there is sufficient equity in the premises to adequately protect Movants interest in the property.
- 11) Denied. The options Movant proposes to Debtor, resolving pre-petition arrearages, aren't negated nor compromised with the automatic stay in place. The options proposed by Movant can be pursued while the automatic stay is in place.
- 12) Denied. Movant alleges conclusions of law which do not require a response.

WHEREFORE, Respondent respectfully request that the relief requested by Movant be denied.

Respectfully submitted,

/s/ Jeffery A. Fournier, Esquire
Jeffery A. Fournier, Esquire
for Dawn E. Weimar, Debtor/Respondent

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VERIFICATION

I, hereby state:

1. I verify that the statements made in this pleading/answer are true and correct to the best of my knowledge, information and belief; and
2. I understand that the statements made in this pleading/answer are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

/s/ Dawn E. Weimar
Dawn E. Weimar, Debtor/Respondent

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CERTIFICATION OF SERVICE

I, Jeffery A. Fournier, Esquire, hereby certify that I served that the above Notice of Objection were served to the interested parties listed below by first class prepaid postage mail and/or electronically on January 15, 2021:

William C. Miller, Trustee (Electronically)
P.O. Box 40119
Philadelphia, PA 19106-0119

KML Law Group P.C. (Electronically)
Rebecca A. Solarz, Esquire

Dawn. E. Weimar, Debtor (Hand Delivered)

/S/ Jeffery A. Fournier, Esquire
Jeffery A. Fournier, Esquire
Attorney for Debtor/Respondent